



The Elder & Disability Law Firm  
of Victoria L. Collier, PC

# VICTORIA'S VOICE: COMFORT NEWS TO USE CONFIDENCE . COMFORT. CARE.

*It is the mission of The Elder & Disability Law Firm of Victoria L. Collier  
to EMPOWER not impoverish our clients.*

*First Quarter Edition 2016*



## 2016!

### WRAP UP OF 2015

#### A Year of Stability... and Change

Last year was one of change and stability for our firm and for our clients. We have completely settled into our new office space at 315 W. Ponce de Leon Ave., Suite 600, Decatur, Georgia. The new space allows us to provide educational seminars on-site that can seat up to 48 attendees. We have been providing between two to four seminars per month on how to protect assets and pay for long term care. We also host client social gatherings and sponsor events for colleagues in our beautiful senior resource center. If you have not been to our new office, we welcome you to come visit us.

Our team continues to grow and change. To better serve our clients, we hired another paralegal, Sherry Cade, to assist with Medicaid and VA application processing, making that department three deep, which also includes Sabrina Scott, Supervisor, and Chris Ashcraft. We have recently hired Jaina Reed as an administrative assistant and client services coordinator. Lastly, because Stephanie Drake, our receptionist, went to pursue her dream of developing a non-profit to assist abused women, we have hired Michael Wyatt to be our receptionist. He is now usually the first person you speak with when you call the office. The members of the firm who have been with us for a while and are still with us (and not already mentioned above) include Daphne Reiley, estate planning paralegal, Melanie Richardson, social worker and client relations, and Cody Snyder, community relations.

Through our Client Touch Maintenance Program, we have been able to offer stability and peace of mind to our clients who have completed services but want the ability to reach out to us at any time to ask questions about their situations, which could be ever changing. We find that clients engaged in this program have less stress because they are operating from a planning perspective instead of through crisis. If you have completed services with us but are not enrolled in our Client Touch Maintenance Program, you may want to contact Daphne Reiley to discuss your options and the benefits.

Clearly Victoria is  
incredibly qualified, competent,  
caring, and passionate about her  
work. Her staff is  
the same! The law  
firm of Victoria  
Collier is my  
“Happy Place”!  
-Crystal F.

#### IN THIS ISSUE

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## The Gift of Sleep and Security

The family members of my clients often tell me they can't sleep well because they are worried if their loved one, a spouse or a parent, is receiving good care while living at a nursing home or assisted living. My friend and colleague, Attorney Mike Prieto, just reported winning a wrongful death case against a DeKalb County Nursing Home. The situation aired on WSB-TV in December by reporter Rachel Stockman. The patient, Mr. Dempsey, was a WWII veteran. At the nursing home, he started pressing the call light complaining of an inability to breathe and chest pains. After the staff ignored his calls of "help me, help me" one staff member went into the room and abruptly stated, "You gotta stop putting the light on. What do you want now?" The patient died and the staff did not even start CPR until two hours later, just minutes before the EMTs arrived on the scene. This should not happen to anyone! If you have a loved one being taken care of by a home health care agency, assisted living facility or nursing home, call our office to find out how we are helping our clients protect themselves.

## Medicaid Planning Tip:

The majority of people who reside in nursing homes pay privately from their own savings until they run out. Then, by default, they qualify for and apply for Medicaid. However, some clients plan ahead and strategically plan to qualify for Medicaid while also legally preserving some of their assets. Some people think it is "wrong" to save money and still qualify for Medicaid. Here are two good reasons to do Medicaid planning:

1. Had Mr. Dempsey above saved some money and qualified for Medicaid, his family could have hired home health care to be with him at night when the nursing facility staff is cut way back. The home health care nurse could have either attended to his needs or sought assistance from the nursing home staff as his advocate. While Mr. Dempsey's family should never have to do that, saving the money and spending it in this manner may be helpful in ensuring your loved one gets the quality of care they deserve.
2. Because the nursing home is liable for Mr. Dempsey's death, they will need to pay a large amount in damages. The result of successful lawsuits is increased insurance premiums for nursing homes who then pass that cost onto the consumer in the way of increasing nursing home fees. If deaths like this and lawsuits like this are minimized by taking preventative measures, health care costs may not increase so dramatically.

If you know someone who lives in a nursing home or in rehab with the expectation of remaining permanently in a nursing facility for long term care, we encourage you to refer them to our office so we can share with them options of maintaining quality of life while receiving good care and protecting their assets.

## CLIENT

### TESTIMONIAL

*"It has been a great experience having your company help me with getting my mother on Medicaid. Your professionalism and commitment has carried over through every step of the process. Knowledge of the law and procedures necessary for filing for Medicaid and VA Benefits have relieved me of a tremendous burden. I'm especially glad you offer the maintenance program, which proved extremely beneficial to me given the mistakes made by Medicaid when re-filing for the 2nd year. To anyone in need of your services, I would absolutely endorse your company. Thanks for all you have done!"*

*- Pam B.*

# AGING LIFE CARE MANAGEMENT—A Scenario

By: Michael Johnson, LCSW, Aging Life Care Manager – Metta Johnson and Associates

The holiday season holds intense feelings for us all, whether it's a sense of excitement or a sense of worry; a sense of connection or a sense of separateness. This is especially true for those of us that have family members who are seniors, or who are adults who rely on us for support.

Sarah prided herself on the fact that she had taken her mother in to her home to help take care of her. Each holiday season she had been able to get her to the out of town family's destination for their gathering. This year, however, she knows she won't be able to do that as her mother's mobility is much more impaired than ever before.

Sarah has struggled with the fact that her family won't be able to see their out of town family this holiday season. She knows that this might be the last time for her children to see their great grandparents, who they only get to see during the holidays. She is torn between wanting to see her family from out of town and providing the great care she knows she gives her mom.



Asking for guidance from friends and family members she gets conflicting ideas on what to do, so she decides to reach out to an Aging Life Care Manager – a professional who specializes in helping manage the many decisions related to all aspects of caring for a senior. After a comprehensive assessment the Care Manager notes that her options include the following:

Respite Care at a nearby Assisted Living Facility. Sarah likes the idea of her mom having a lot of interaction as she is a social person, and Assisted Living Facilities have various activities throughout the day for the residents. Her mom's medication regimen is about average for a senior with a few medical diagnoses, so she is confident the ALF can manage that component. She has some misgivings about her mom being in a different location without family or friends around though, as she has lived with them for several years now, and likes the routine.

Using a personal care agency to provide a 24-hour caregiver. Since Sarah's mom sleeps through the night without needing any care, she can have a "live in" caregiver who stays in the bonus room. She learns that if her mother didn't sleep through the night and needed care, she would have to have multiple caregivers, since the 24-hour caregiver wouldn't be able to sleep. Sarah likes the idea of her mother being at home, but she thinks having just one person around wouldn't provide the level of social interaction her family of five normally gives her.

Sarah decides against using a "free lance" caregiver that a friend recommended because she understands that there is no back up if the caregiver gets sick or has another emergency. She also is uncomfortable with the complicated information she receives about possible workman's comp issues or paying social security taxes as the caregiver would be considered a 1099 for tax purposes.

Accompanied by the Care Manager Sarah tours a couple of nearby assisted livings with her mother. They also interview a couple of personal care agencies. The Care Manager helps her focus her goals and decide on what questions to ask to make sure her goals are met. In the end Sarah makes a decision with what she feels is the best case option.

At the recommendation of their Care Manager, in preparing for the trip to Asheville, Sarah and her family help her mother pick out festive holiday cards and write letters to the family members. They also put together a small photo album of events over the last year that they can share with their family in Asheville. Sarah enjoys this process with her mother, feeling like her daughter rather than her caregiver for the first time in a long time. After their trip to Asheville, she returns feeling refreshed, at ease knowing the Care Manager was able to "be in the wings" in case her mother needed any help while she was away. Her mother enjoyed her time at the assisted living facility and made many friends. Sarah expresses having an excitement for the new opportunities available to her and her family, allowing for travel and good care for her mother at the same time.



## Happy New Year!

From all of us!

**CONFIDENCE. COMFORT. CARE.**

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Victoria L. Collier, PC  
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***UPCOMING EDUCATIONAL WORKSHOPS  
at Our Office***

**There is no fee to attend the workshops, however due to a limited number of reservations available, you are required to call the office to secure a seat.**

***Tuesday, January 26 @ 10:00AM—Noon***

***Wednesday, February 3 @ 2:00PM—4:00PM***

***Tuesday, February 9 @ 2:00PM—4:00PM***

***Thursday, February 11 @ 1:00PM—3:00PM***

***Tuesday, February 16 @ 10:00AM—Noon***

**CONTACT US**

Give us a call for more information about our services and products .

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